

**ALASKA STATE LEGISLATURE
SENATE LABOR AND COMMERCE STANDING COMMITTEE**

March 2, 2022
9:00 a.m.

DRAFT

MEMBERS PRESENT

Senator Mia Costello, Chair
Senator Elvi Gray-Jackson

MEMBERS ABSENT

Senator Joshua Revak, Vice Chair
Senator Peter Micciche
Senator Gary Stevens

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Alaska Workers' Compensation Board
Michael Dennis - Wasilla

- HEARD AND HELD

Board of Marital and Family Therapy
Tristian Monterastelli - Eagle River

- HEARD AND HELD

State Board of Registration for Architects
Engineers, and Land Surveyors
Brent Cole - Anchorage

- HEARD AND HELD

Alaska State Board of Public Accountancy
Elizabeth Stuart - Anchorage

- HEARD AND HELD

Marijuana Control Board
Bruce Schulte - Anchorage

- HEARD AND HELD

Board of Pharmacy
Ashley Schaber - Anchorage

- HEARD AND HELD

Board of Social Work Examiners
Sharon Woodward - Juneau

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

MICHAEL DENNIS, Appointee
Alaska Workers Compensation Board
Department of Labor and Workforce Development (DOLWD)
Anchorage, Alaska

POSITION STATEMENT: Testified for reappointment to [an industry seat] on the Alaska Workers Compensation Board.

CHARLES COLLINS, Director
Alaska Workers' Compensation Board
Juneau, Alaska

POSITION STATEMENT: Answered questions about the Alaska Worker' Compensation Board during the confirmation hearing for Michael Dennis.

TRISTIAN MONTERASTELLI, Appointee
Board of Marital and Family Therapy
Department of Commerce, Community and Economic Development
Eagle River, Alaska

POSITION STATEMENT: Testified for reappointment to the public seat on the Board of Marital and Family Therapy

BRENT COLE, Appointee
State Board of Registration for Architects, Engineers, and Land Surveyors
Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified as an appointee to the public seat on the State Board of Registration for Architects, Engineers, and Land Surveyors.

ELIZABETH STUART, Appointee
Board of Public Accountancy

Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified as an appointee to the public accountant seat on the Board of Public Accountancy.

BRUCE SCHULTE, Appointee
Marijuana Control Board

Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified for reappointment to the public seat on the Marijuana Control Board.

ASHLEY SCHABER, Appointee
Board of Pharmacy

Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to a pharmacist seat on the Board of Pharmacy.

SHARON WOODWARD, Appointee
Board of Social Work Examiners

Department of Commerce, Community and Economic Development
Juneau, Alaska

POSITION STATEMENT: Testified for reappointment to the licensed baccalaureate social worker seat on the Board of Social Work Examiners.

ACTION NARRATIVE

[9:00:46 AM](#)

CHAIR MIA COSTELLO called the Senate Labor and Commerce Standing Committee meeting to order at 9:00 a.m. Present at the call to order were Senators Gray Jackson, and Chair Costello.

CONFIRMATION HEARING(S)

Alaska Workers' Compensation Board

Board of Marital and Family Therapy

State Board of Registration for Architects

Engineers, and Land Surveyors

Alaska State Board of Public Accountancy

Marijuana Control Board

Board of Pharmacy

Board of Social Work Examiners

9:01:27 AM

CHAIR COSTELLO announced the consideration of Governor Appointees to Boards and Commissions. She asked each appointee to state their name, the seat they will fill, and whether this is a new or reappointment.

CHAIR COSTELLO asked Michael Dennis to briefly introduce himself to the committee.

9:02:20 AM

MICHAEL DENNIS, Appointee, Alaska Workers Compensation Board, Department of Labor and Workforce Development, Anchorage, Alaska, testified for reappointment to [an industry seat] on the Workers Compensation Board. He stated that this would be his second term on the Workers Compensation Board. He related that he owns an insurance business in Anchorage and has been in this business for more than 30 years.

CHAIR COSTELLO asked if this was a public seat.

MR. DENNIS answered yes.

CHAIR COSTELLO asked what he hoped to gain by serving on this board.

MR. DENNIS stated that he is interested in workers' compensation, has experience as both an employee and employer, and has been involved with the carriers. He opined that his experience will be valuable to the board and he views this service as a way to give back to the community.

CHAIR COSTELLO expressed appreciation to him and all Alaskans who dedicate time to serve on boards and commissions.

9:04:15 AM

SENATOR GRAY-JACKSON thanked him for his interest in continuing to serve. She asked what goals he had for the next term.

MR. DENNIS replied that his goals are to attend in-person meetings to facilitate learning from other board members and add more hearings to his calendar to alleviate the burden on longer serving members.

9:05:38 AM

At ease

9:07:11 AM

CHAIR COSTELLO reconvened the meeting. She asked Charles Collins to talk about the role of the public member on the Alaska Workers' Compensation Board and the time commitment for this particular board.

9:07:55 AM

CHARLES COLLINS, Director, Alaska Workers' Compensation Board, Juneau, Alaska, explained that the Alaska Worker' Compensation Board has 18 members, with representation equally split between industry and labor. In addition to working on regulations, the members serve as adjudicators as part of a three-member panel run by a hearing officer, a labor member, and an industry member in the event that a claim results from a hearing. He said the time commitment for this board varies depending on the number and complexity of the hearings, but on average there are 300 hearings a year.

MR. COLLINS stated that Mr. Dennis has several decades of experience as an employer, which provides a valuable perspective when the board talks about regulations. The time commitment is several days per month. Members receive a \$50 stipend when they work. He voiced support for all the current board members, including Mr. Dennis.

CHAIR COSTELLO said she wanted to clarify this is a public seat and that Mr. Dennis' fulfills the requirements for that seat.

MR. COLLINS replied he does meet the qualifications for the seat he occupies because he is an employer. He represents an industry seat.

CHAIR COSTELLO asked him to clarify that this is an industry seat.

MR. COLLINS confirmed that was correct.

CHAIR COSTELLO asked how the board had accommodated the three-member hearing panels during COVID-19.

MR. COLLINS explained that the board works out of Anchorage, Fairbanks, and Juneau and remote hearings were common well before the advent of COVID-19. Initially meetings were telephonic and now there are more Zoom meetings.

CHAIR COSTELLO thanked him for the information, his commitment to the board, and for appearing in person.

She thanked Mr. Dennis and advised that all appointee names would be forwarded in one batch at a later date.

9:14:37 AM

CHAIR COSTELLO asked Tristian Monterastelli to tell the committee about herself, his interest in serving on the Board of Marital and Family Therapy, and the seat she would occupy.

9:14:59 AM

TRISTIAN MONTERASTELLI, Appointee, Board of Marital and Family Therapy, Department of Commerce, Community and Economic Development, Eagle River, Alaska, testified for reappointment to the public seat on the Board of Marital and Family Therapy. She stated that she is a fulltime professional in the social services field. She related that she was first appointed in 2021 and is seeking reappointment as a public member. She is passionate about public service and believes this service is a way to give back to the social services profession. She expressed her interest in learning how she can contribute more now that she has some experience.

CHAIR COSTELLO asked if this appointment might be financially beneficial.

MS. MONTERASTELLI answered no, she works for the State of Alaska in a social services capacity.

9:16:51 AM

SENATOR GRAY-JACKSON asked what she believes the role of the board to be.

MS. MONTERASTELLI answered that all board members provide checks and balances. Specific to this board, she believes her role is to provide an outside perspective as she is neither a licensed therapist nor a licensed counselor.

CHAIR COSTELLO thanked her and advised that all appointee names would be forwarded in one batch at a later date.

9:18:21 AM

CHAIR COSTELLO asked Brent Cole to introduce himself, provide a short personal background, mention the seat he would occupy, and talk about his interest in serving on the State Board of Registration for Architects, Engineers, and Land Surveyors.

9:18:36 AM

BRENT COLE, Appointee, State Board of Registration for Architects, Engineers, and Land Surveyors, Department of Commerce, Community and Economic Development, Anchorage, Alaska, testified as an appointee to the public seat on the State Board of Registration for Architects, Engineers, and Land Surveyors. He stated that he has lived in Alaska since 1959 with time away to attend university and law school. He worked as a laborer while attending school, including work on the Trans Alaska Pipeline. After graduation from law school, he was offered a job by Superior Court Judge Seaborn J. Buckalew Jr.

MR. COLE stated that he has been a practicing attorney since 1986 in both private and public venues. He has been in private practice for about 35 years and his clientele is varied. He offered his perspective that public service is important, and as his practice slows down he looks forward to doing more. He has a continuing interest in the construction industry. He related that he was appointed to a public seat and he sees his role as someone who has seen Alaska's ups and downs over the last 60 years. He hopes to provide insight as an Alaskan and an attorney who has seen quite a lot. He looks forward to serving if confirmed.

CHAIR COSTELLO mentioned her visit with the board when it met in Juneau recently and recalled that Seaborne J. Buckalew Jr. was a signer at the Constitutional Convention.

MR. COLE confirmed that was correct.

CHAIR COSTELLO asked for his thoughts on working for Judge Buckalew.

[9:23:54 AM](#)

MR. COLE described it as a hallmark of his career and a highlight of his life. He was a humble man who was concerned about people and wanted to see the state flourish.

CHAIR COSTELLO said it is fascinating that the state is so young that people today can say that they knew the individuals who attended the Constitutional Convention and helped form the state.

[9:26:16 AM](#)

SENATOR GRAY-JACKSON said her questions were answered.

CHAIR COSTELLO talked about her interest in "Growing our Own," and asked for his thoughts on how to get more young people

interested in land surveying, engineering, and architecture as a career.

[9:27:24 AM](#)

MR. COLE offered his belief that the private sector needs to step up and provide more opportunities for young people to see why it is in their best interest to pursue STEM activities. Kids who become engineers do so because they were exposed to math and engineering when they were young. It's equally important to provide a vibrant environment so there are jobs for young Alaskans. He summarized that it is a combination of a solid economy that creates jobs and providing opportunities for young people to step in

CHAIR COSTELLO expressed appreciation for his willingness to serve.

[9:31:00 AM](#)

CHAIR COSTELLO asked Elizabeth Stewart to tell the committee about herself, her interest in serving on the Board of Public Accountancy, and the seat she would occupy.

[9:31:17 AM](#)

ELIZABETH STUART, Appointee, Board of Public Accountancy, Department of Commerce, Community and Economic Development, Anchorage, Alaska, testified as an appointee to the Board of Public Accountancy to fill the public accountant seat. She related that she grew up and attended school in Alaska and has been working as a CPA for KPMG for more than 25 years. She highlighted that she became a licensed CPA in 1996 and the accountancy firm KPMG was licensed pre Statehood. She opined that the integrity of public accountancy and having this profession in the state is very important.

CHAIR COSTELLO noted her extensive involvement in the community and asked her talk about her views on public service and if this appointment reflects a desire to give back to the community.

MS. STUART credited her achievements to very good mentors and articulated her commitment to carry that forward whether it is volunteering in a kindergarten class to talk about the concept of budgets and how much candy 10 cents will buy or serving on the university advisory board to help shape course offerings at the College of Business and Public Policy to improve educational outcomes.

[9:34:25 AM](#)

SENATOR GRAY-JACKSON thanked her for reaching out to committee members and for her service and willingness to serve on this board.

CHAIR COSTELLO thanked her for making herself available to the committee.

[9:35:28 AM](#)

CHAIR COSTELLO asked Bruce Schulte to introduce himself and tell the committee whether this is a reappointment.

[9:35:43 AM](#)

BRUCE SCHULTE, Appointee, Marijuana Control Board, Department of Commerce, Community and Economic Development, Anchorage, Alaska, testified for reappointment to the public seat on the Marijuana Control Board. He stated that he served as a spokesman for the initiative campaign to pass Ballot Measure 2 in 2014 and was appointed to the original board. About two and one-half years ago he was appointed to serve again so this would technically be a reappointment to a third term. He expressed hope that this would be his first complete term.

CHAIR COSTELLO asked him to share why his service was cut short during the previous administration.

MR. SCHULTE offered his belief that it was internal politics and he lost. He said he understands that the position is at the pleasure of the governor so it was not inappropriate for his term to be cut short.

CHAIR COSTELLO asked what challenges he sees facing the industry and how he would address those as a board member.

MR. SCHULTE stated that the two largest challenges are the tax structure and what federal legalization would mean to the Alaska cannabis industry. He said it is clear now that the 2014 tax structure is cumbersome and an impediment to success across the industry. He expressed hope that the legislature would find a different structure that would help these businesses be more successful. Regarding federal legalization, he said he welcomes the ability to participate in the banking system and in a national cannabis industry, but he does not want to see large out-of-state players roll over Alaska-based businesses.

[9:39:45 AM](#)

CHAIR COSTELLO asked whether the board promotes activities to prevent youth access to marijuana.

MR. SCHULTE mentioned two active measures the board has worked on over the years. First, enforcement has more tools to allow investigations of retail stores sales to individuals under 21 years of age. Second, when the board looks at approving edible products, part of the discussion is whether the product is unnecessarily attractive or accessible to children.

SENATOR GRAY-JACKSON asked him to be more specific about the problem with the tax structure.

[9:41:34 AM](#)

MR. SCHULTE explained that in 2014 he and others advocated for a straight excise tax of \$50/ounce. It made sense when Black Market cannabis was selling for \$300-\$400/ounce. However, the wholesale price has dropped to about \$125/ounce in the legal marketplace so the \$50/ounce excise tax is a huge burden. When production costs of \$25-\$37.50/ounce are factored in, some cultivators barely break even. It is a tenuous position for licensees. He said there is not agreement throughout the industry on what the excise tax should be but there is general agreement that it should be spread out so that the cultivators are not the only ones paying the tax.

CHAIR COSTELLO thanked him for his interest in serving.

[9:44:21 AM](#)

CHAIR COSTELLO asked Ashley Schaber to introduce herself and tell the committee why she was interested in serving on the Board of Pharmacy. She noted that Ms. Schaber had been serving since her appointment in 2021.

[9:44:46 AM](#)

ASHLEY SCHABER, Appointee, Board of Pharmacy, Department of Commerce, Community and Economic Development, Anchorage, Alaska, testified as appointee to the Board of Pharmacy to fill a pharmacist seat. She stated that she had been serving on the board in the pharmacist seat since 7/1/2021. She is licensed in Alaska as a pharmacist and has lived and worked in the state for more than 14 years. Prior to that she lived and worked in Georgia. Her background includes retail pharmacy, post-graduate residency, leadership training, and work in the Alaska tribal health system. For the last 10 years she has practiced in the areas of medication safety, pharmacy quality improvement, and management. She holds a masters' in business administration and is board certified in pharmacotherapy. She currently oversees clinical and pharmacy services in the largest hospital in the

tribal health system. She recounted recent accomplishments in this capacity and while serving on the Alaska Pharmacist Association. She stated that she was looking for a way to use her experience and training to serve and improve public health, safety, and welfare for all Alaskans through the effective control and regulation of the practice of pharmacy.

[9:48:06 AM](#)

SENATOR GRAY-JACKSON asked what she sees as the role of the Board of Pharmacy.

MS. SCHABER replied the board's role is to protect the health and safety of Alaskans.

CHAIR COSTELLO commented on her impressive background and resume and expressed appreciation that she was willing to serve. She mentioned the opposing testimony from board members about another appointee to this board and asked if she objected to working with individuals who hold diverse opinions.

MS. SCHABER replied she has experience with, and generally does not have a problem, working with individuals who hold diverse opinions and outlooks.

CHAIR COSTELLO asked if she was saying that she does not share the opinion expressed by other board members who indicated they were unwilling to work with the appointee in question.

MS. SCHABER answered that it is important for appointees to share the board's purpose and outlook and if an appointee's background is not aligned with that it could pose a problem.

[9:50:28 AM](#)

CHAIR COSTELLO asked if in her capacity as a pharmacist, she views the Alaskans she interacts with as patients or customers.

MS. SCHABER offered her belief that the most important aspect of the interaction is that an individual who comes to a pharmacy is part of the team that is making decisions about their health care.

CHAIR COSTELLO referenced the differing perspectives for prevention and treatment of COVID-19 and mentioned the hypothetical situation of a pharmacist refusing to fill a prescription for ivermectin. She asked Ms. Schaber if she would support that decision or if she sees the doctor/patient relationship as separate from the pharmacist's job.

MS. SCHABER answered that it is important to recognize the pharmacist as a member of the health care team, along with the patient/customer and doctor. When an individual goes to the pharmacy with a prescription, the pharmacist provides the checks and balances for the health care team to ensure that the medication is safe for the patient, the dose is appropriate, and that there is no drug interaction that the provider may not have been aware of when the prescription was written.

CHAIR COSTELLO asked what challenges she sees that the board will face.

MS. SCHABER answered that a primary challenge is to ensure that pharmacies, including independent pharmacies, stay in business by being appropriately reimbursed for the services they provide and medications they dispense. Another challenge is to ensure a safe working environment for pharmacists and pharmacy technicians. She noted that the board has initiated this discussion in partnership with the Alaska Pharmacists Association. She also highlighted the importance of supporting young pharmacy technicians who want to become pharmacists through apprenticeship programs and pharmacy schools.

CHAIR COSTELLO thanked her for making herself available and for sharing her background and interest in serving.

9:54:17 AM

CHAIR COSTELLO asked Sharon Woodward to introduce herself to the committee.

9:54:38 AM

SHARON WOODWARD, Appointee, Board of Social Work Examiners, Department of Commerce, Community and Economic Development (DCCED), Juneau, Alaska, testified for reappointment to the licensed baccalaureate social worker seat on the Board of Social Work Examiners. She stated that she has been a social worker since 2007, working primarily with seniors. She currently works at Wildflower Court, which is a skilled nursing and long-term care facility in Juneau. During the year she served on the board she learned about helping social workers develop skills through continuing education. She believes her opinions and personal experience will continue to help form necessary board decisions.

CHAIR COSTELLO mentioned the impact that COVID-19 has had on young Alaskans and asked if she had seen an increase in the need for mental health services for youth.

MS. WOODWARD offered her belief that the isolation associated with the onset of COVID-19 affected the mental health of every age group.

SENATOR GRAY-JACKSON thanked her for her willingness to serve. She asked for her thoughts on the COVID pandemic.

MS. WOODWARD replied it has been difficult, but she believes that Juneau has done a good job of limiting the number of COVID cases. She related that just five people at the skilled nursing facility were affected by COVID-19, which is remarkable compared to similar facilities in the state and the Lower 48. She expressed hope that everyone could get on with a normal life in the near future.

CHAIR COSTELLO thanked her for being willing to serve and for making herself available today.

[9:59:30 AM](#)

CHAIR COSTELLO opened public testimony on the following appointees:

Alaska Workers' Compensation Board

Michael Dennis - Wasilla

Board of Marital and Family Therapy

Tristian Monterastelli - Eagle River

State Board of Registration for Architects
Engineers, and Land Surveyors

Brent Cole - Anchorage

Alaska State Board of Public Accountancy

Elizabeth Stuart - Anchorage

Marijuana Control Board

Bruce Schulte - Anchorage

Board of Pharmacy

Ashley Schaber - Anchorage

Board of Social Work Examiners

Sharon Woodward - Juneau

[10:00:14 AM](#)

CHAIR COSTELLO discerned nobody wished to offer comment and she closed public testimony on the foregoing Governor Appointees to Boards and Commissions.

[The names of the appointees were held for future action.]

10:00:28 AM

There being no further business to come before the committee, Chair Costello adjourned the Senate Labor and Commerce Standing Committee meeting at 10:00 a.m.